

REMARKS

In the Office Action dated May 22, 2003, claims 1, 2, 5, 29 and 34 were rejected under 35 U.S.C. § 102 over Culpepper, "SIP INFO Method for Event Reporting," draft-culpepper-sip-info-event-00.txt (April 2000); claims 9-12, 18-21, 24, 25, 28, 35, and 36 were rejected under § 103 over Culpepper in view of Choudhuri, "SIP INFO Method for DTMF Digit Transport and Collection," draft-choudhuri-sip-info-digit-00.txt (April 2000); claims 13 and 23 were rejected under § 103 over Culpepper in view of Choudhuri and Media Gateway Control Protocol (MGCP), Version 1.0 (hereinafter "MGCP"); claims 3 and 30 were rejected under § 103 over Culpepper in view of MGCP; claims 4, 6-8, 14-17, 22, 26, and 27 were rejected under § 103 over Culpepper in view of Choudhuri, MGCP, and Bearer Independent Call Protocol (BICP) ITU Recommendation Q.1901; and claims 31-33 and 37 were rejected under § 103 over Culpepper in view of BICP.

Claim 1 has been amended to fix a minor typographical error--the scope of claim 1 remains unchanged. Applicant respectfully submits that claim 1 is not anticipated by Culpepper. Claim 1 recites receiving a call request from a first media gateway controller to a second media gateway controller over a network, requesting information from the first media gateway controller, and receiving the information *before establishing a bearer path over the network*.

Culpepper, on the other hand, describes the use of the SIP INFO method for communicating *mid-call* events in SIP sessions. Culpepper at 1. Culpepper also mentions the use of the SIP INFO method for carrying *mid-session* signaling messages. *Id.* Therefore, it is clear that Culpepper relates to using a SIP INFO message to communicate information *after* a bearer path over a network has been established. Mid-call or mid-session refers to events that occur once a call session, including the bearer path, has been set up. For at least this reason, claim 1 is not anticipated by Culpepper.

Independent claim 12 was rejected as being obvious over the hypothetical combination of Culpepper and Choudhuri. Claim 12 recites an apparatus that includes a controller to receive a call request from a media gateway controller, to determine if at least one digit is required to *establish a call session*, and to receive the at least digit from

the media gateway controller over the packet-based network from the media gateway controller in response to determining that the at least one digit is required.

Note that claim 12 recites determining if a digit is required to *establish* a call session, and to receive such digit for *establishing* a call session from the media gateway controller. This implies that the determining and receiving acts are performed prior to establishment of a call session. As noted above, Culpepper teaches using the SIP INFO message for communicating mid-call events in SIP sessions. Choudhuri also describes using SIP INFO messages to perform mid-session signaling, Choudhuri at 1-2.

Therefore, even if the asserted combination of Culpepper and Choudhuri is proper, such a combination does not teach or suggest determining if a digit is required to establish a call session and receiving that at least one digit from a media gateway controller in response to determining that the at least one digit is required. Therefore, for at least this reason, the hypothetical combination of Culpepper and Choudhuri does not teach or suggest the claimed invention, and thus, a *prima facie* obviousness rejection has not been properly established with respect to claim 12.

Claim 18 depends from claim 12 and is allowable for at least the same reasons. Moreover, claim 18 recites that the controller is further adapted to *complete a call session in response to receiving the at least one digit*. The SIP INFO messages exchanged in mid-session described in Culpepper and Choudhuri cannot satisfy this element.

Independent claim 20 was also rejected over the hypothetical combination of Culpepper and Choudhuri. Claim 20 recites that prior to a call session being established in response to a call request, a controller is adapted to receive a request to collect digits from a media gateway controller over a packet-based network. The hypothetical combination of Culpepper and Choudhuri does not teach or suggest this element.

Independent claim 29 was rejected as being anticipated by Culpepper. Culpepper does not teach receiving a request to establish a call session from a media gateway controller, requesting information from the media gateway controller, and receiving the information from the media gateway controller before establishing a voice path over the packet-based network.

Independent claim 37 was rejected over the hypothetical combination of Culpepper and BICP. Even if the asserted combination of Culpepper is proper, such

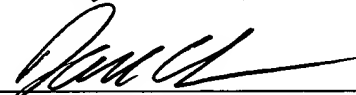
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combination does not teach or suggest receiving at least one digit in one of a BICC and Session Initiation Protocol message from a media gateway controller for establishing a voice path over a packet-based network.

In view of the foregoing, it is respectfully submitted that all claims are in condition for allowance, which action is respectfully requested. The Commissioner is authorized to charge any additional fees, including extension of time fees, and/or credit any overpayment to Deposit Account No. 20-1504 (NORT.0075US).

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